

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO.
v.	:	DATE FILED:
WILLIAM BURNHAM	:	VIOLATIONS:
	:	18 U.S.C. § 2252(a)(4) (possession of child
	:	pornography – 1 count)
	:	18 U.S.C. § 2252(a)(1) (transportation of
	:	child pornography in interstate commerce
		– 27 counts)

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

At all times material to this Indictment:

1. Defendant WILLIAM BURNHAM resided at 675 East Street Road, Apartment 812, Warminster, Pennsylvania, and had an account with America Online (hereafter “AOL”), an Internet service provider.

2. AOL is a commercial computer service, also known as a commercial bulletin board, that offers subscribers access to electronic bulletin boards which can be read and responded to by other subscribers, known as “chat.” “Chat” is real-time typewritten conversation between people, much like an oral conversation. Subscribers can also communicate by means of “instant messages” (“IM”) which are private, real time typewritten conversations between people. Each AOL subscriber must have access to a computer which communicates through a modem connected to telephone lines with the central computer system located in Northern Virginia. Each subscriber can communicate directly with other AOL users through

public chat rooms, private chat rooms or instant messages (IM), if the other subscriber is also on-line. Within the system, text messages and graphic images (such as photographs) can be sent from one subscriber to another during on-line chats and IM sessions. Both text and graphics files can be saved to the computer disk drive for access and printing at any time.

3. A subscriber to AOL chooses a "screen name" which is a name used to log onto the service. An account can have more than one screen name. When one participates in on-line chats and IM, the only name known to the other participants is the subscriber's screen name.

4. BURNHAM's AOL account number was 46325910, and his primary screen name was "billb812." BURNHAM accessed the internet via his AOL account, and contacted others via electronic mail (hereafter "e-mail") whom he found in chat groups established on the web site "yahoo.com."

5. Yahoo.com offers search engine services, as well as e-mail, bulletin boards, interest groups, and chat services. BURNHAM contacted others by e-mail, using yahoo.com screen names, including "dickloverboy2001," "dickloverboy2003," "casperswallows," "jitboy6," "jiteater," "cumsucker5," "cumlover20," "dicklover17," "dicklover18," "suckcasper," and "sucks5320."

6. From on or about February 22, 2003 to on or about July 6, 2003, using the screen names "dickloverboy2001" and "dickloverboy2003," defendant WILLIAM BURNHAM engaged in a series of e-mails and chats with another AOL subscriber who told BURNHAM that he was a 14-year-old boy from New Hampshire, but was in fact an undercover law enforcement officer. BURNHAM represented that he was a 15-year-old boy from New Jersey, but was in fact 41 and 42 years old at the time of these transmissions.

7. On or about November 14, 2003, at Warminster, Bucks County, in the Eastern District of Pennsylvania, defendant

WILLIAM BURNHAM

knowingly possessed one or more images, films, video tapes, and other materials which contained visual depictions of the minors engaging in sexually explicit conduct, and the production of those visual depictions involved the use of minors engaged in sexually explicit conduct, and such visual depictions had been transported in interstate and foreign commerce, and had been produced using materials which had been transported in interstate and foreign commerce.

All in violation of Title 18, United States Code, Sections 2252(a)(4).

COUNTS TWO THROUGH TWENTY-EIGHT

THE GRAND JURY FURTHER CHARGES THAT:

1. On or about each of the dates listed below (each date constituting a separate count of this indictment), in the Eastern District of Pennsylvania and elsewhere, defendant

WILLIAM BURNHAM

did knowingly transport and ship in interstate commerce by computer visual depictions, described by file name below, the production of which involved the use of minors engaging in sexually explicit conduct and which visual depictions were of such conduct.

<u>COUNT</u>	<u>DATE AND TIME TRANSMITTED</u>	<u>CONTENT</u>	<u>FILE NAMES</u>
2	February 22, 2003 10:59 a.m. PST	1 or more visual depictions	!.jpg 2pals1q.jpg 2x.jpg
3	February 22, 2003 11:03 a.m. PST	1 or more visual depictions	3901.jpg 3904.jpg
4	February 22, 2003 11:07 a.m. PST	1 or more visual depictions	3905.jpg 3906.jpg 3919.jpg
5	February 22, 2003 11:10 a.m. PST	1 or more visual depictions	3920.jpg 3922.jpg 3bois.jpg 41B-B.jpg 45.jpg 471804lg.jpg
6	March 4, 2003 9:47 a.m. PST	1 or more visual depictions	Blackboy.jpg !!!.jpg !dadfeels.jpg 001a.jpg
7	March 4, 2003 9:54 a.m. PST	1 or more visual depictions	Bondage.jpg

<u>COUNT</u>	<u>DATE AND TIME TRANSMITTED</u>	<u>CONTENT</u>	<u>FILE NAMES</u>
8	March 4, 2003 10:01 a.m. PST	1 or more visual depictions	Bly21.jpg
9	March 10, 2003 7:47 a.m. PST	1 or more visual depictions	Boy0001.jpg
10	March 10, 2003 7:53 a.m. PST	1 or more visual depictions	boy7.jpg
11	March 10, 2003 2:39 p.m. PST	1 or more visual depictions	Boy65.jpg Boys-s~2.jpg Bp.jpg
12	March 30, 2003 6:58 a.m. PST	1 or more visual depictions	0022.jpg 156.jpg 99.jpg
13	April 1, 2003 5:37 a.m. PST	1 or more visual depictions	!!!boy~3.jpg !!12WA~1.jpg
14	April 5, 2003 9:39 a.m. PST	1 or more visual depictions	21.jpg 345.jpg
15	April 5, 2003 9:29 p.m. PST	1 or more visual depictions	bb.jpg cock-bm.jpg
16	April 10, 2003 3:38 p.m. PDT	1 or more visual depictions	Duo2-21.jpg
17	April 18, 2003 5:12 p.m. PDT	1 or more visual depictions	13536065.jpg 13536068.jpg
18	April 19, 2003 6:43 p.m. PDT	1 or more visual depictions	finger55.jpg
19	May 5, 2003 10:17 p.m. PDT	1 or more visual depictions	Miko.jpg more3001.jpg more300
20	May 7, 2003 10:07 p.m. PDT	1 or more visual depictions	!zxy-a~3.jpg 007.jpg 014.jpg
21	May 10, 2003 7:55 p.m. PDT	1 or more visual depictions	ru058.jpg

<u>COUNT</u>	<u>DATE AND TIME TRANSMITTED</u>	<u>CONTENT</u>	<u>FILE NAMES</u>
22	May 14, 2003 8:33 p.m. PDT	1 or more visual depictions	!.jpg
23	June 9, 2003 4:15 a.m. PDT	1 or more visual depictions	!!!!doo2.jpg (21).jpg (30).jpg
24	June 19, 2003 9:26 p.m. PDT	1 or more visual depictions	028.jpg 029.jpg
25	July 3, 2003 6:03 a.m. PDT	1 or more visual depictions	fck01.jpg
26	July 3, 2003 8:26 p.m. PDT	1 or more visual depictions	_URI%201.jpg
27	July 5, 2003 9:15 a.m. PDT	1 or more visual depictions	Blow-(6).jpg
28	July 6, 2003 10:56 a.m. PDT	1 or more visual depictions	12-11yoboysfuckingass.mpg

In violation of Title 18, United States Code, Section 2252(a)(1).

NOTICE OF FORFEITURE

1. As a result of the violations of Title 18, United States Code, Sections 2251(a) and 2252(a)(1) and (4), set forth above, defendant

WILLIAM BURNHAM

shall forfeit to the United States of America the following:

- a. Any visual depiction described in §§ 2251 or 2252, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped, or received in violation of 18 U.S.C. §§ 2251 and 2252;
- b. Any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such an offense; and
- c. Any property, real or personal, used or intended to be used to commit or to promote the commission of such offense, including but not limited to:
 - Compaq PC Unit Serial No. MXK3340D12
 - HP Computer, Serial No. KRO1505111
 - Digital camera
 - 12 CD-ROMs and approximately 800 VHS videotapes

2. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 18, United States Code, Section 2253(o), to seek forfeiture of any other property of the defendant up to the value of the property subject to forfeiture.

All pursuant to Title 18, United States Code, Section 2253.

A TRUE BILL:

GRAND JURY FOREPERSON

PATRICK L. MEEHAN
UNITED STATES ATTORNEY